

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

January 20, 2011

Mr. Jay Angoff
Director
The Center for Consumer Information and Insurance Oversight
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20221

Dear Director Angoff:

Pursuant to Rules X and XI of the United States House of Representatives, the Committee on Energy and Commerce is examining the operations and programs of the Center for Consumer Information and Insurance Oversight (CCIIO)¹.

We note the Department of Health and Human Services (HHS) created your office to implement the provisions of the Patient Protection and Affordable Care Act (PPACA) that address private health insurance. Because millions of Americans rely on the private insurance market for health care coverage and will be affected substantially by the actions of your office, there is substantial public interest in information about the CCIIO.

Recent events also demonstrate the need for increased oversight. While the CCIIO was originally established within the office of the Secretary of HHS, Secretary Sebelius recently informed the Congress that it would be relocated to the Centers for Medicare and Medicaid Services (CMS). In her January 5, 2011, letter to Chairman Harold Rogers of the Committee on Appropriations, Secretary Sebelius stated that the move would both save money and improve efficiency while placing the office in the hands of those with "the best resources, in terms of expertise and administrative processes." While these are laudable goals, the movement of the CCIIO to CMS also raises an important question: why was the CCIIO created in the Office of the Secretary only to be transferred to CMS a few months later?

¹ The CCIIO was originally known as the "Office of Consumer Information and Insurance Oversight." For the purposes of this letter and document request, we will use the term CCIIO to refer to all versions of the entity, both before and after the name change.

Most troubling is that your office is currently responsible for deciding who does not have to comply with the massive new regulations imposed by the PPACA. Currently your office has approved waivers from the PPACA's annual limits requirements for 222 applicants. In a November 30, 2010, meeting with Ranking Minority Member Michael Burgess, you stated that your office had also denied waiver requests. We would appreciate if your office would explain how a decision is made on whether compliance with the PPACA is necessary.

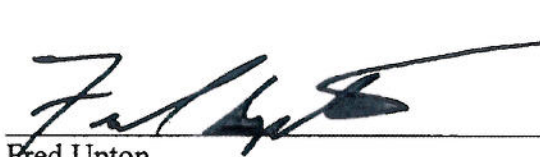
To assist the Committee in understanding the role of the CCIIO, we request that you provide the following information and documents within two weeks of the date of this letter:

1. Identification of the section in the PPACA that authorizes the creation of the CCIIO, including the amount of money authorized for its operation. All documents or internal communications, including e-mail, between all individuals responsible for creating the CCIIO discussing the establishment and future operations of the potential office.
2. An explanation of the structure and budget of the CCIIO. List the individuals employed by the CCIIO, including names, titles, job requirements, and salary. A detailed description or visual representation of the structure of the office that details any sections, divisions, responsibilities and hierarchies. A detailed budget that includes all monies spent since the office's inception and future spending for one year.
3. A list of every individual, organization, business, state or any other entity that has:
 - a. Requested a waiver or exemption from complying with any part of the PPACA.
 - b. Obtained a waiver or exemption from complying with any part of the PPACA.
 - c. Been denied a waiver or exemption from complying with any part of the PPACA.
4. All documents relating to the granting of waivers or exemptions from complying with any part of the PPACA. All communications, including e-mail, between any individual associated with the CCIIO discussing waivers or exemptions for any applicant, including both internal communications between CCIIO representatives and communications CCIIO representatives had with applicants.
5. All documents relating to the denial of waivers or exemptions from complying with any part of the PPACA. All communications, including e-mail, between any individual associated with the CCIIO discussing waivers or exemptions for any denied applicant, including both internal communications between CCIIO representatives and communications CCIIO representatives had with applicants.
6. Any other documents relating to waivers or exemptions from the PPACA granted or denied. Provide all communications, including e-mail, between CCIIO representatives discussing waivers or exemptions either internally or with a third party not a part of the CCIIO.

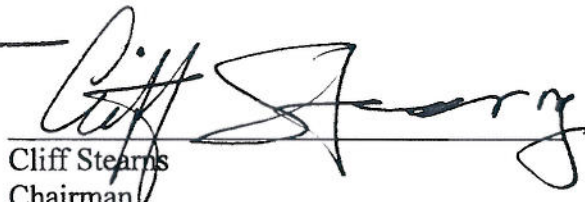
7. All documents and internal discussions, including e-mail, on the decision to move the CCIIO from HHS to CMS.

An attachment to this letter provides additional information on how to respond to the Committee's request. If you have any questions regarding this request, please contact Mr. Sean Hayes with the Committee staff at (202) 225-2927.

Sincerely,



Fred Upton
Chairman



Cliff Stearns
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Henry A. Waxman
Chairman

Attachment